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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX	) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND	)
PRODUCT LIABILITY LITIGATION	)
_____	)
	)
ACQUAROLE, et al.,	) CASE NO. CGC-06-449463
	) MDL Case No. 06-2392 CRB
	)
Plaintiffs,	) STIPULATION AND ORDER OF
	) DISMISSAL WITH PREJUDICE
vs.	) AS TO PLAINTIFF CHRISTOPHER MELE
	)
PFIZER, INC., et al.	)
	)
Defendants.	)
	)
_____	)

COME NOW, Plaintiff CHRISTOPHER MELE and Defendants PFIZER, INC., et al., by  
and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a),

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
AS TO PLAINTIFF CHRISTOPHER MELE**

and hereby stipulate to the dismissal of Plaintiff CHRISTOPHER MELE from this action, with prejudice, each side bearing its own attorney's fees and costs.

Respectfully submitted,

Dated: September 29, 2009

**KABATECK BROWN KELLNER LLP**

By: 

Brian S. Kabateck, Esq.

Attorneys for Plaintiff CHRISTOPHER MELE

Dated: October 27, 2009

**DLA PIPER LLP**

By: /s/

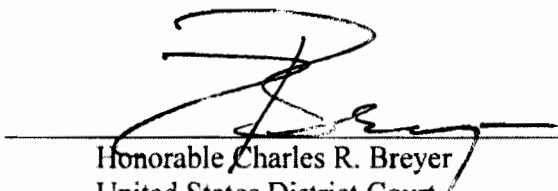
Matthew A. Holian

Attorney for Defendants PFIZER, INC., et al.

**ORDER**

**PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS SO ORDERED.**

Dated: OCT 29 2009

  
Honorable Charles R. Breyer  
United States District Court